

# EXHIBIT C

1  
2 UNITED STATES DISTRICT COURT  
3 FOR THE DISTRICT OF MASSACHUSETTS

4 -----  
5 STEVEN MCDERMOTT, )  
6 Plaintiff, )  
7 and ) Civil Action No.:  
8 STACY MCDERMOTT, ) 04-CV-12253MLW  
9 Plaintiff, )  
10 vs. )  
11 FEDEX GROUND PACKAGE )  
12 SYSTEMS, INC., )  
13 Defendant, )  
14 and )  
15 T. S. PRUITT, )  
16 Defendant. )  
17 -----

18 DEPOSITION OF JAMES T. FOSBRINK  
19 -----

20 REPRODUCTION OF THIS TRANSCRIPT IS PROHIBITED  
21 WITHOUT AUTHORIZATION FROM THE CERTIFYING  
22 AGENCY  
23 -----

24 ORIGINAL  
25

1 J. Fosbrink - by Mr. Brown

2 A. No.

3 Q. I understand that you're having some  
4 health issues. Can you please describe those  
5 to me?

6 A. I got what they call Wegener's  
7 granular cytositis. Don't ask me to spell it.

8 Q. Are you currently taking any  
9 medications?

10 A. Yes.

11 Q. Can you please describe those?

12 A. I take 175 milligrams of cytoxan  
13 every day, 60 milligrams of steroids, and I  
14 take -- oh, I can't name them all. I take 26  
15 different pills a day.

16 Q. Can you tell me if either your  
17 medications or the Wegener's disease affects  
18 your ability to testify in any way today?

19 A. Well, the doctor says maybe yes,  
20 maybe no because I got fluid on the brain.

21 Q. To the best of your knowledge, would  
22 that affect your memory?

23 A. No.

24 Q. I'm sure you know we are here today  
25 to discuss the February 7, 2003 tractor-trailer

1  
2 COMMONWEALTH OF PENNSYLVANIA)

3 COUNTY OF ALLEGHENY )

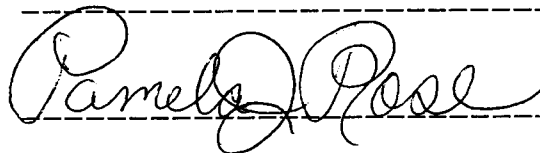
4  
5 I, Pamela J. Rose, a notary public in  
6 and for the Commonwealth of Pennsylvania, do  
7 hereby certify that the witness,  
8 JAMES T. FOSBRINK, was first duly sworn to  
9 testify the truth, the whole truth, and nothing  
10 but the truth; that the foregoing deposition  
11 was taken at the time and place stated herein;  
12 and that the said deposition was recorded  
13 stenographically by me and then reduced to  
14 typewriting under my direction, and constitutes  
15 a true record of the testimony given by said  
16 witness, all to the best of my skill and  
17 ability.

18  
19 I further certify that the inspection,  
20 reading and signing of said deposition were  
21 waived by counsel for the respective parties  
22 and by the witness.

23  
24 I further certify that I am not a  
25 relative, or employee of either counsel, and  
that I am in no way interested, directly or  
indirectly, in this action.

IN WITNESS WHEREOF, I have hereunto  
set my hand and affixed my seal of office this  
30th day of August, 2006.

S/Pamela J. Rose

20  
21 

22 Pamela J. Rose